U.S. Apln. No. 09/726,867
Reply to Office Action mailed December 1, 2008

PATENT
Attorney Docket No. 450100-02887

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1 and 10-19 are currently pending. Claims 1, 10, and 19, which are independent, are hereby amended. Claims 2-9 are canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Support for this amendment is provided throughout the Specification. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II.   REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 3, 10, 12, and 19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,614,987 to Ismail, et al. (hereinafter, merely "Ismail") in view of U.S. Patent No. 6,581,207 to Sumita, et al. (hereinafter, merely "Sumita").

Claim 11 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ismail and Sumita as applied to claims 1 and 10, and further in view of Dunlop ("The Effects of

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Accessing Non-matching Documents on Relevance Feedback") and U.S. Patent No. 6,408,295 to

Aggarwal, et al. (hereinafter, merely "Aggarwal").

Claims 13-15 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over

Ismail and Sumita, as applied to claims 3 and 12, and further in view of U.S. Patent No.

6,005,561 to Hawkins, et al. (hereinafter, merely "Hawkins").

Claim 16 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over

Ismail and Sumita as applied to claim 12, and further in view of U.S. Patent No. 6,457,010 to

Eldering, et al. (hereinafter, merely "Eldering") and further in view of U.S. Patent No. 6,185,360

to Inoue, et al. (hereinafter, merely "Inoue").

Claim 17 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over

Ismail and Sumita as applied to claim 12, and further in view of U.S. Patent No. 6,266,664 to

Russel-Falla, et al. (hereinafter, merely "Russel-Falla") and still further in view of Inoue.

Claim 18 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over

Ismail and Sumita as applied to claims 1 and 10, and further in view of Eldering.

III.   RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

> "...said selection information is expressed with an n-dimensional vector S comprising user preference items as elements,
>
> wherein each element identifies a preference intensity of a corresponding element in the n-dimensional vector A,
>
> <u>wherein an element of vector A identifies a positive attribute intensity when the user has demonstrated a positive preference for the element and indentifies a</u>

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> negative attribute intensity when the user has demonstrated
> a negative preference for the element,
> wherein an element of vector S identifies a positive
> preference intensity when the user has demonstrated a
> positive preference for the element and indentifies a
> negative preference intensity when the user has
> demonstrated a negative preference for the element..."

(Emphasis added)

Generally, claim 1 relates to selecting digital contents via a filtering process by performing an inner product operation between the attribute information's vector A indicating attributes of digital contents and the selection information's vector S indicating user preferences. An element of vector A identifies a positive attribute intensity when the user has demonstrated a positive preference for the element and indentifies a negative attribute intensity when the user has demonstrated a negative preference for the element. An element of vector S identifies a positive preference intensity when the user has demonstrated a positive preference for the element and indentifies a negative preference intensity when the user has demonstrated a negative preference for the element, and

Indeed, Applicants note that the Office Action states that Ismail fails to teach or suggest attribute information expressed as an n-dimensional vector comprising attribute items as elements and selection information expressed as an n-dimensional vector comprising preference items as elements and instead relies on Sumita to teach these features.

Sumita, however, does not teach the above-identified features of claim 1. As stated in the office action, Sumita teaches a vector containing keywords and calculates their "attribute intensity" based on a frequency of use. The Office Action supports the assertion by pointing to Figure 12, column 7, lines 50-59 of Sumita.

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Sumita, Figures 11-13 are reproduced:

```
┌─────────────────────────────────┐
│ USER ID                         │
│ BASEBALL,  GIANTS,  FUKUSHIMA    │
└─────────────────────────────────┘
```

F I G. 11
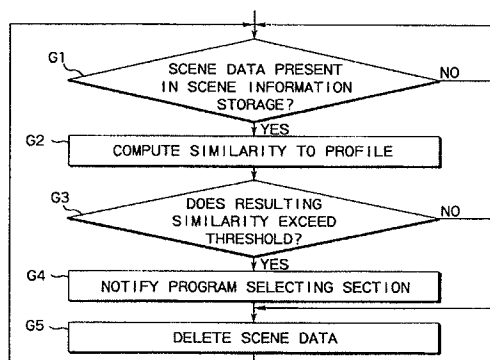
F I G. 12

```
┌─────────────────────────────────┐
│ USER ID                         │
│ CHANNEL                         │
│ BROADCASTING TIME               │
│ TIME SLOT FOR EACH SCENE         │
└─────────────────────────────────┘
```

F I G. 13

As shown above, Figure 12 shows that the process flow in the collation evaluating section (16). The collation evaluating section (16) starts the processing when scene data is registered into the scene information storage section (145 (YES in step G1)), computes the similarity between the keyword portion in the scene data and each profile registered into the profile storage section (step G2), and, when the resulting similarity exceeds a given threshold (YES in step G3), notifies the program selecting section (17) of that scene data as profile-related scene data (step G4). After the termination of these processes, the scene is deleted (step G5).

Applicants submit that a vector containing keywords is distinct from vector A in claim 1 for two reasons. First the vector elements of vector A each identify attribute intensities

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for the digital content. This is distinct from Sumita because Sumita uses a frequency of use of each element to get an intensity value.

Second, vector A of claim 1 comprises elements, wherein each element of vector A identifies a positive attribute intensity when the user has demonstrated a positive preference for the element and indentifies a negative attribute intensity when the user has demonstrated a negative preference for the element. This is distinct from Sumita because in Sumita, the elements are keywords and words do not have a positive or negative element.

Furthermore, claim 1 is distinct from Sumita because Sumita teaches a vector of user profile information. Applicants submit that a vector of user profile information is distinct from vector S of claim 1 because, first, vector S is comprised of elements wherein an element of vector S identifies a positive preference intensity when the user has demonstrated a positive preference for the element and indentifies a negative preference intensity when the user has demonstrated a negative preference for the element. And the profile information does not have a corresponding element in Sumita's keyword vector.

Second, each element of vector S identifies a positive preference intensity or a negative preference intensity depending on the user's demonstrated taste. Sumita's profile information arranged in vector format is information that is not positive or negative.

Applicants submit that Ismail and Sumita, taken either alone or in combination, do not teach or suggest the above-identified features of claim 1.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 10 and 19 are also patentable.

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IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.
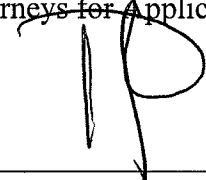
CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

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In view of the foregoing remarks, it is believed that all of the claims in this

application are patentable and Applicants respectfully request early passage to issue of the

present application.

Respectfully submitted,

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